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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,955	10/24/2003	Thomas J. Fowler	LEAR 03771 PUS / 03771	1880

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EXAMINER

WUJCIAK, ALFRED J

ART UNIT	PAPER NUMBER
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3632

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/692,955

Applicant(s)

FOWLER ET AL.

Examiner

Alfred Joseph Wujciak III

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/24/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This is the second Office Action for the serial number 10/692,955, INSTRUMENT PANEL SYSTEM, filed on 10/24/03.

The examiner withdrew the finality in view of new ground of rejection. Any inconvenience is regretted.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 3-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent # 4,211,976 to Inoue in view of US Patent # 6,550,835 to Davis, Jr. et al.

Inoue teaches a vehicle having an instrument panel system comprising an instrument panel (1) having an opening (2) to configured to receive one of a plurality of devices (8-11). The opening has an area and each of the plurality of devices has an area substantially equal to or less than the area of the opening. The system includes a removably attachable secondary panel (14) for covering a portion of the opening when the device received has an area less than the area of the opening. The secondary panel forming an intermediate surface (18) visible to the occupant between the instrument panel and at least a portion of the device. The intermediate surface substantially surrounds the device. The secondary panel includes an aperture (15) through

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which the received device is accessible to the occupant. The received device is a display for use in conveying information to the occupant. The received is a control panel for use by the occupant to control at least one vehicle system. The surface of the secondary panel visible to the occupant substantially matches the surface of the instrument panel visible to the occupant. The instrument panel and secondary panel are configured to meet so that the instrument panel and secondary panels substantially integral to the occupant. The secondary panel is removably attachable by the occupant, and the system further comprises at least one additional secondary panel (22) having a different appearance than the secondary panel such that the occupant can change the appearance of the instrument panel system by replacing the secondary panel with the at least one additional secondary panel. The instrument panel comprising opening and the secondary panel includes a plurality of apertures (24 and 23) through which the received devices are accessible to the occupant.

Inoue teaches the vehicle but fails to teach the vehicle having a passenger compartment. Davis, Jr. et al. teaches the vehicle having a passenger compartment (16). It would have been obvious for one of ordinary skill in the art at the time the invention was made to have added compartment to Inoue's vehicle as taught by Davis, Jr. et al. to provide a storage for the passenger.

Inoue teaches the opening in the instrument panel but fails to teach the panel having plurality of openings. Davis, Jr. et al. teaches the panel having plurality of openings. It would have been obvious for one of ordinary skill in the art at the time the invention was made to have

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added plurality of openings to Inoue's instrument panel as taught by Davis, Jr. et al. to provide additional support for securing additional device on the panel.

Response to Arguments

Applicant's arguments with respect to claims 1 and 3-9 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US Patent # 4,462,564 to Alves et al.

Alves et al. teaches the instrument panel system having the removable secondary panel.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alfred Joseph Wujciak III whose telephone number is (703) 306-5994. The examiner can normally be reached on 8am-4:30pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leslie A Braun can be reached on 703 308 2156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alfred Joseph Wujciak III
Examiner
Art Unit 3632 *AJU*

3/14/05


ANITA KING
PRIMARY EXAMINER